

Notice of Allowability

Application No.

10/005,770

Examiner

Nghi V. Tran

Applicant(s)

MORI ET AL.

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/30/2005.
2. ☒ The allowed claim(s) is/are 1-5, 7-16, 20-24 and 26-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

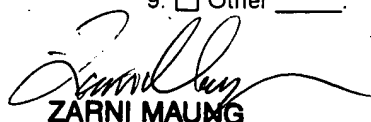
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ZARNI MAUNG

SUPERVISORY PATENT EXAMINER

AT

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Christopher P. Harris on September 26, 2005.

3. The application has been amended as follows:

In the claims

Claim 1

1. (Currently Amended) A method of transferring a file over a network comprising:

dividing a file into a plurality of blocks;

transferring a first one of said plurality of blocks from a first entity and across said network toward a second entity;

transferring a second one of said plurality of blocks from said first entity and across said network toward said second entity while said first one of said plurality of blocks is being transferred across said network to said second entity;

Art Unit: 2151

transferring a subsequent one of said plurality of blocks from said first entity across said network toward said second entity while at least one previous block is being transferred across said network to said second entity; and

repeating said transferring of said subsequent one of said plurality of blocks until all of said plurality of blocks have been transferred, wherein at least one of said plurality of blocks comprises an intercontrol block that contains information for rebuilding the file from said plurality of blocks[[-]]; and

wherein transferring said second one of said plurality of blocks comprises waiting a predetermined time after a beginning of transmission of said first one of said plurality of blocks.

Claim 6

Please cancel claim 6.

Claim 13

13. (Currently Amended) A method for transferring a file from a first entity to a second entity over a network, said method comprising:

dividing a file into a plurality of blocks;

transferring a first one of said plurality of blocks from a first entity and across said network toward a second entity;

transferring a second one of said plurality of blocks from said first entity to said second entity while said first one of said plurality of blocks is being transferred across

Art Unit: 2151

said network to said second entity, wherein transferring said second one of said plurality of blocks comprises waiting a predetermined time after a beginning of transmission of said first one of said plurality of blocks;

transmitting a last one of said plurality of blocks; and

~~receiving a first one of a plurality of blocks at said second entity;~~

~~receiving a second one of said plurality of blocks at said second entity;~~

~~receiving a last one of said plurality of blocks at said second entity; and~~

assembling said first one of said plurality of blocks and said second one of said plurality of blocks into a single file at said second entity after receiving said last one of said plurality of blocks wherein said at least one of said plurality of blocks comprises an intercontrol block that contains information for rebuilding the file from said plurality of blocks.

Claims 17-19

Please cancel claims 17-19.

Claim 22

In line 9, after the phrase, "with said Transmission Control Protocol;" please insert the following --wherein transferring said second one of said plurality of blocks comprises waiting a predetermined time after a beginning of transmission of said first one of said plurality of blocks;--.

Claim 25

Please cancel claim 25.

Claim 28

In line 9, after the phrase, "to said second entity;" please insert the following --wherein transferring said second one of said plurality of blocks comprises waiting a predetermined time after a beginning of transmission of said first one of said plurality of blocks;--.

Allowable Subject Matter

4. Claims 1-5, 7-16, 20-24, and 26-30 are allowed.
5. The following is an examiner's statement of reasons for allowance: The cited prior arts fail to disclose or suggest a method of transferring a file over a network comprising: transferring a subsequent one of said plurality of blocks from said first entity across said network toward said second entity while at least one previous block is being transferred across said network to said second entity; repeating said transferring of said subsequent one of said plurality of blocks until all of said plurality of blocks have been transferred, wherein at least one of said plurality of blocks comprises an intercontrol block that contains information for rebuilding the file from said plurality of blocks; wherein transferring said second one of said plurality of blocks comprises waiting a

Art Unit: 2151

predetermined time after a beginning of transmission of said first one of said plurality of blocks; and in conjunction with all other limitations in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ZARNI MAUNG

SUPERVISORY PATENT EXAMINER

Nghi V Tran